

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

DOUGLAS PELMEAR et al.,

Plaintiffs,

vs.

CHIEF JUSTICE MAUREEN O'CONNOR et al.,

Defendants.

Case No.: 3:18-cv-1480

Hon. Jeffery J. Helmick

Mag. Judge James R. Knepp II

**MOTION FOR EXTENSION
OF TIME TO RESPOND TO
PLAINTIFFS' COMPLAINT
BY THE FOLLOWING
DEFENDANTS NAMED IN
THEIR OFFICIAL AND
INDIVIDUAL CAPACITY:**

**SCOTT HASELMAN
JUDGE MARK POWERS
TRACY ZUVER
ROY E. MILLER
MATTHEW SMITHMYER
JAMIE SIMON
JOHN TREJO
JOHN JAY HANNA
GWEN HOWE-GEBERS
MICHAEL BODENBENDER
CONNIE L. SCHNITKEY
HEATHER LUMBREZER
WHITNEY LAVINDER
MIKE MANN
ALYESE STIDHAM
RANDI WUDI
BRIAN BANISTER
JON RUFENACHT
DENNIS MILLER**

**MARSHA KOLB
MATTHEW DAVIS
JON RUPP
BILL RUFENACHT
JEFF RUPP
THOMAS VONDEYLEN
BOB HASTEDT
GLENN MILLER
VICKIE GLICK
RYAN MACK
MICK POCRATSKY
GARY L. PLOTTS
DENNIS SULLIVAN**

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Attorney for Defendants

Now come these defendants and they hereby move this Court for an order to have up to forty-five (45) days from the date of service of the summons and complaint issued by the officers of the court as provided in 28 U.S.C. 1915(d) – in the event this Court grants plaintiffs’ motions in forma pauperis -- and if, and only to the extent as to those defendants, if any -- the Court makes an initial determination in accordance with 28 U.S.C. 1915(e) that plaintiffs’ complaint as to them is either not frivolous or malicious; does state a claim on which relief may be granted; or does not seek monetary relief against a defendant who is immune from such relief.

Defendants bring this motion expressly reserving any and all defenses, particularly as to service as matters currently stand.

The reasons and authorities in support of defendants' motion for an extension of time are set out and detailed in the memorandum of law submitted herewith.

/s/Donald E. Theis
Attorney for Defendants
as set out above

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing Defendants' Motion for Extension of Time to Respond to Plaintiffs' Complaint was filed electronically on this ____ day of August 2018. Notice of this filing will be sent to all attorneys of record by operation of the Court's electronic filing system.

Copies of said motion were also sent by regular mail to: pro se plaintiffs Douglas Pelmear P.O. Box 165, 403 Hill St., Napoleon, Ohio 43545; and Noah Pelmear 1304 S. Buehrer St., Archbold, Ohio 43502

/s/ Donald E. Theis
Donald E. Theis